

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,)

ex. rel.)

ELIZABETH A. COOLEY)

Plaintiff,)

v.)

Civil Action No. 1:20-cv-04181-TWT

ERMI, LLC f/k/a ERMI, INC.;)

THOMAS P. BRANCH, M.D.;)

CHUTE 15, INC.;)

ARTHRORESEARCH, LLC;)

ROBODIAGNOSTICS, LLC; and)

END RANGE OF MOTION)

IMPROVEMENT, INC.)

Defendants.)

_____)

**MOTION TO DISMISS PLAINTIFF/RELATOR
ELIZABETH A. COOLEY'S FIRST AMENDED COMPLAINT**

For the reasons set forth in the accompanying memorandum in support, Defendants ERMI, LLC f/k/a ERMI, Inc.; Thomas P. Branch, M.D.; Chute 15, Inc.; Arthroresearch, LLC; Robodiagnostics, LLC; and End Range Of Motion Improvement, Inc. move to dismiss Plaintiff/Relator Elizabeth A. Cooley's First Amended Complaint in its entirety pursuant to Federal Rules of Civil Procedure 8(a), 12(b)(6), and 9(b).

Respectfully submitted this 4th day of October, 2021.

**PARKER HUDSON RAINER &
DOBBS LLP**

/s/ Robert M. Brennan

Robert M. Brennan

Georgia Bar No. 079798

Jameson B. Bilsborrow

Georgia Bar No. 505735

303 Peachtree Street, NE

Suite 3600

Atlanta, Georgia 30308

Tel: (404)-523-5300

Fax: (404)-522-8409

rmb@phrd.com

jbilsborrow@phrd.com

Counsel for ERMI, LLC f/k/a

ERMI, Inc.; Thomas P. Branch,

M.D.; Chute 15, Inc.;

Arthroresearch, LLC;

Robodiagnostics, LLC; and End

Range Of Motion Improvement,

Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **MOTION TO DISMISS PLAINTIFF/RELATOR ELIZABETH A. COOLEY'S FIRST AMENDED COMPLAINT** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record in this action.

This 4th day of October, 2021.

/s/ Robert M. Brennan
Robert M. Brennan